

REMARKS

The amendment to the specification has been made to remove the duplication that appears at paragraph 10 through 14. These appear to be identical to paragraphs 5 through 9.

The Examiner has rejected claims 1 through 5, 8, 11, 12, 14, 16 to 27, 30, 33, 34, 36 to 41, 45 to 47, 49 and 53 to 56 under 35 USC 103a in view of the reference to Bergmann, US Patent 6,377,730. The Applicant's note with appreciation the indication of allowability of the balance of the claims.

Of the claims rejected, claim 1, 36, 41 and 56 are independent claims. Each of the claims recites features not present in the Bergmann structure namely, the fact that the light is dispersed other than as channelised data within the known channels. Accordingly, it is believed that the independent claims clearly and patentably distinguish over Bergmann and the claims dependent thereon likewise distinguish Bergmann.

With respect to the Bergmann reference, it will be noted at Figure 2 that the light from the dispersive of element 242 is conveyed to the array 300 through wave guides 260. Each of these wave guides is associated with a respective optical signal obtained from the output star coupler 240 and as such, act to channelise the output from the star coupler 242 to the array 300.

An arrangement similar to that shown in Bergmann is disclosed in the present application at Figure 1 and is identified as prior art. At paragraph 78 of the present application, the arrangement of Figure 1 is contrasted to that of Figure 3a which shows the detector array fixed to an end face adjacent an unguided region.

Claim 1 specifically recites that the method includes providing an input port and a dispersive of element within a wave guide structure, the dispersive element disposed to receive light provided at the input port and for dispersing the light onto the detector array, the light dispersed other than as channelised data within the known channels. Quite clearly, the Bergmann reference does not satisfy this requirement of the claim since the star coupler does not disperse the light onto the detector array except as channelised data in wave guides 260. Accordingly, it is believed that claim 1 and the claims dependent thereon clearly and patentably distinguish over the Bergmann reference.

Similar language can be found in each of the independent claims and corresponding comments apply equally to those claims.

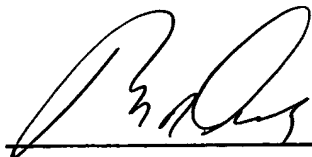
Appl. No. 09/964,509

Amdt. Dated: August 26, 2003

Reply to Office Action of: February 27, 2003

Accordingly, further consideration to allowance is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Dowell', is written over a horizontal line.

Ralph A. Dowell

Agent for Applicant

Registration No. 26, 868